

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	§	Group Art Unit: 2153
Van Hensbergen	§	
Serial No.: 09/998,048	§	Examiner: Strange, Aaron
Filed: 11/29/2001	§	Attorney Docket No. AUS920010613US1
Title: System and Method for	§	IBM Corporation
Knowledgeable Node Initiated TCP	§	IP Law Dept.
Splicing	§	11400 Burnet Road
	§	Austin, Texas 78758

DECLARATION UNDER 37 C.F.R. § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Eric Van Hensbergen declares as follows:

1. I am an Applicant for the patent application entitled "System and Method for Knowledgeable Node Initiated TCP Splicing," Serial No. 09/998,048, filed 11/29/2001, and an inventor of the subject matter described and claimed therein.
2. I completed and reduced to practice, in the United States of America, the invention described and claimed in the subject application.
3. From May, 2001 to August 2001, I was an Advisor to a Research Intern named Athanasios E. Papathanasiou. Mr. Papathanasiou assisted me in the preparation of a paper entitled "KNITS: Switch Based Connection Hand-off" while he was working as my research assistant. This paper was published after my application was filed. While Mr. Papathanasiou assisted me in the preparation of the paper, he was not a co-inventor of my invention described and claimed in the above-referenced patent application. In particular, Mr. Papathanasiou did not conceive of the

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Atty Ref. No. IBM-1058

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invention and did not reduce the invention, as set forth in the claims, to practice. Mr. Papathanasiou's role and general responsibilities while serving as my research assistant are set forth in Mr. Papathanasiou's résumé (reference "X" within the Notice of References Cited by the Examiner). In his résumé, Mr. Papathanasiou clearly describes his role as my research assistant and not as an inventor of the subject application.

4. I further declare that all statements made herein of my own knowledge and all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful and false statements and the like so made are punishable by fine or imprisonment or both under § 1001 of Title 18 of United States Code and that such willful and false statements may jeopardize the validity of the above-referenced application and any patent issuing therefrom.

FURTHER DECLARANT SAYETH NOT.



Eric Van Hensbergen

Date:

5/18/2005